

STRIKEOUT ORDINANCE

OLD LANGUAGE: ~~STRIKEOUT~~

NEW LANGUAGE: UNDERLINE

(O-2006-86)

ORDINANCE NUMBER O-_____ (NEW SERIES)

ADOPTED ON _____

AN ORDINANCE OF THE COUNCIL OF THE CITY OF SAN DIEGO AMENDING CHAPTER 12, ARTICLE 6, DIVISION 5, BY AMENDING SECTION 126.0504; AMENDING CHAPTER 14, ARTICLE 3, DIVISION 9, BY AMENDING SECTIONS 143.0910, 143.0915, AND 143.0920, OF THE SAN DIEGO MUNICIPAL CODE, ALL RELATING TO THE LAND DEVELOPMENT CODE.

§126.0504 Findings for Site Development Permit Approval

A Site Development Permit may be approved or conditionally approved only if the decision maker makes all of the *findings* in Section 126.0504(a) and the supplemental *findings* in Section 126.0504(b) through (n) that are applicable to the proposed *development* as specified in this section.

(a) through (l) [No change.]

(m) Supplemental Findings - Deviations for Affordable/In-Fill Housing Projects and Sustainable Buildings

A development that requires a Site Development Permit in accordance with Section 143.0920 because the applicant has requested a deviation from the applicable development regulations for affordable/in-fill housing and Sustainable Building projects may be approved or conditionally approved only if the decision maker makes the following supplemental findings in addition to the findings in Section 126.0504(a):

(1) The proposed development will materially assist in accomplishing the goal of providing affordable housing opportunities in economically balanced communities throughout the City, and/or the proposed development will materially assist in reducing impacts associated with fossil fuel energy use by utilizing alternative energy resources, self-generation and other renewable technologies (e.g. photovoltaic, wind, and/or fuel cells) to generate electricity needed by the building and its occupants;

(2) and (3) [No change.]

(n) [No change.]

§143.0910 Purpose of Affordable/In-Fill Housing and Sustainable Buildings Development Regulations

The purpose of these regulations is to provide flexibility in the application of development regulations for projects providing affordable shelter and a balance of housing opportunities for all economic segments of the community. The intent is to provide an additional incentive to facilitate the development of affordable/in-fill housing and Sustainable Buildings while assuring that the *development* achieves the purpose and intent of the applicable land use plan.

§143.0915 When Affordable/In-Fill Housing and Sustainable Buildings Regulations Apply

These regulations apply to the following types of residential *development*:

(a) Residential *development* in accordance with Section 142.13046(a).

(b) through (g) [No Change.]

§143.0920 Deviation Requirements for Affordable/In-Fill Housing and Sustainable Buildings

An applicant may request a deviation from the applicable development regulations for affordable/in-fill housing and Sustainable Buildings in accordance with Section 143.0915 pursuant to a Site Development Permit decided in accordance with Process Four provided that the findings in Section 126.0504(a) and the supplemental findings in Section 126.0504 (m) are made.

HRM:cfq
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